

MONTANA POST COUNCIL

The Montana POST (Peace Officer Standards and Training) council was formed in 1972, one of 49 similar councils in the United States. Originally the POST council was an advisory council to the Montana Board of Crime Control (MBCC) and only certified Montana's Peace Officers.

The current Council was formed in 2007 under 2-15-2029, MCA as an independent Quasi-judicial board known as the POST (Public Safety Officer Standards and Training Council.) and given rulemaking under Title 44, chapter 4, part 4, MCA. It has 13 members appointed by the Governor that represent Sheriffs, Corrections, Tribal Police, County Attorneys, Police and Police Chiefs, Bd of Crime Control, Detention, and the Public. In 2007, it was given two staff members consisting of an Executive Director and Executive Assistant to the Director, an operating budget of \$4,500.00, and was administratively attached to the Department of Justice. Legal services were provided at no cost by an Assistant Attorney General who was assigned to the Law Enforcement Academy.

The Council is required by law to set employment and training standards for all Public Safety Officers as defined in 44-4-401, MCA, which include correction and detention officers, communication officers and probation and parole officers. In addition the Council shall provide for the certification or recertification of public safety officers, and for the suspension or revocation of certification of public safety officers.

The Council's adopted ARM rules require the staff to receive and investigate all complaints made against any Montana public safety officer. The 2009 legislature authorized a Compliance Officer/Investigator and this position was filled in December of 2009. In 2010, POST opened fifty-five investigative files, in 2011 an additional thirty-one cases were opened, and in 2012 another twenty-eight, for a three year total of one hundred and fourteen cases.

In mid-2011, the Assistant Attorney General that had been providing no-cost legal services to the POST Council left employment of the Department of Justice and the Attorney General's Office did not provide a replacement. That required the POST Council to contract for legal service through state Agency Legal Services.

In May of 2012, the Assistant Attorney General that POST is currently using for contested cases was assigned as contracted services. In August of 2012 the POST Council was required to hire separate legal counsel for the POST Council. During the 2012/2013 fiscal year, the POST Council has accumulated, to date, almost \$100,000 in legal fees that had not been budgeted for. The true cost of legal services had never been captured in previous budgets.

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